

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,
A Delaware corporation,

Plaintiff,

v.

VALLEY INDUSTRIAL SERVICE, INC.,
a former California corporation,
et al.,

Defendants.

NO. CIV. S-00-113 LKK/JFM

O R D E R

AND CONSOLIDATED ACTION AND
CROSS- AND COUNTER-CLAIMS.

The court is in receipt of AmeriPride's motion for leave to supplement the record, filed on December 8, 2006, as well AmeriPride's application for an order shortening time. The court has also received Huhtamaki's opposition to AmeriPride's motion to supplement the record and Huhtamaki's motion to strike the supplemental material that was filed on December 8, 2006.


AmeriPride seeks to supplement the record with roughly two

1 hundred pages of new records and expert reports. The request to
2 supplement the record comes only five days prior to a hearing on
3 the pending motions for summary judgment. AmeriPride claims that
4 these records only recently became available. While that may be
5 true, the court is under no obligation or duty to supplement the
6 record. Moreover, the court is not inclined to supplement a record
7 that already contains literally thousands of pages of documents.
8 Allowing the record to be supplemented so late in the litigation
9 process would only further delay resolution of this case.
10 Accordingly, the court orders as follows:

- 11 1. AmeriPride's motion for leave to supplement the record
12 is DENIED.
- 13 2. AmeriPride's application for an order shortening time is
14 DENIED.
- 15 3. Huhtamaki's motion to strike is GRANTED.
- 16 4. Huhtamaki's application for an order shortening time is
17 DENIED.

18 IT IS SO ORDERED.

19 DATED: December 12, 2006.
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23 LAWRENCE K. KARLTON
24 SENIOR JUDGE
25 UNITED STATES DISTRICT COURT
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